

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MAXIM ALEXEEV, SP 2014-DR-137 Appl. under Sect(s) 8-923 of the Zoning Ordinance to permit a fence greater than 4.0 ft. in height in the front yard of a corner lot. Located at 6901 Hutchison St., Falls Church, 22043, on approx. 16,830 sq. ft. of land zoned R-2. Dranesville District. Tax Map 40-2 ((4)) (3) 5. Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on October 1, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The Board has a favorable staff recommendation and the Board adopts the rationale in the staff report.
3. This is a reasonable request to fence in what is a functional backyard on a corner lot on a busy street. It does not appear that the location of this fence, which is pulled back substantially from the corner, would interfere with any sight distance. It is directly opposite a common area for some townhouses. It does not seem to affect the character of the neighborhood, and there should not be any significant negative impact on anyone.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This special permit is approved for the location of a wood or vinyl fence, as shown on the plat titled "Special Permit Plat Showing Proposed Fence, Lot 5, Section 1, Block 3, Retlaw Terrace," prepared by Lawrence H. Spilman III, L.S., of LS2PC, dated April 25, 2014, as submitted with this application. It is not transferrable to other land.

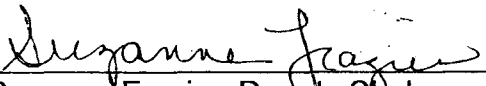
2. Within 90 days of approval, the applicant shall trim vegetation along Great Falls Street and Hutchison Street in order to provide adequate sight distance for turning traffic. A clear line of sight distance shall be maintained by the applicant.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Byers seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

  
Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals